

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Brandon Rasheed Miller

Docket No. 5:06-CR-175-1D

Petition for Action on Supervised Release

COMES NOW Erica W. Foy, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Brandon Rasheed Miller, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge on December 19, 2006, to the custody of the Bureau of Prisons for a term of 92 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Brandon Rasheed Miller was released from custody on May 10, 2013, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On January 21, and March 18, 2015, the defendant tested positive for cocaine. He admitted to using the substance, along with alcohol. Miller asked the probation office for assistance in dealing with his addiction. As a result, we have referred him for substance abuse treatment and he has agreed to participate in the HOPE Reentry Court program. Therefore, we respectfully request the court modify his conditions of supervision to include participation in a cognitive behavioral program and the DROPS program, both of which are necessary for the HOPE Reentry Court program. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.

Brandon Rasheed Miller
Docket No. 5:06-CR-175-1D
Petition For Action
Page 2

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Erica W. Foy

Erica W. Foy
U.S. Probation Officer
310 New Bern Avenue Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8665
Executed On: April 16, 2015

ORDER OF THE COURT

Considered and ordered this 20 day of April, 2015 and ordered filed and
made a part of the records in the above case.

James C. Dever III

Chief U.S. District Judge